

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**BABATUNDE KAREEM AGORO,**

**Petitioner,**

**-against-**

**THE DISTRICT DIRECTOR FOR  
IMMIGRATION CUSTOM  
ENFORCEMENT; THE DEPARTMENT  
OF HOMELAND SECURITY;  
ATTORNEY GENERAL OF UNITED  
STATES,**

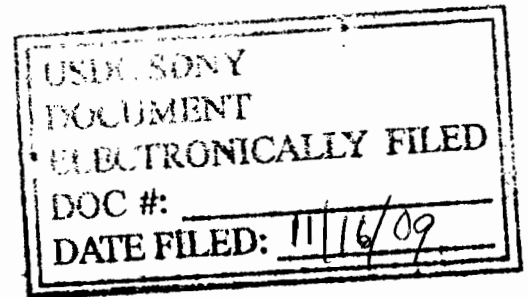
**Respondents.**

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**SHIRA A. SCHEINDLIN, U.S.D.J.:**

**ORDER**

**09 Civ. 8111 (SAS)**



On November 10, 2009, this Court granted petitioner's application for the appointment of counsel and directed the Pro Se Office to place petitioner on the voluntary pro bono panel list. However, given that Agoro has filed a petition under 28 U.S.C. § 2241, he may be appointed counsel pursuant to the Criminal Justice Act ("CJA"). Accordingly, the CJA Office is directed to designate an attorney from its habeas panel to represent petitioner henceforth. The CJRA Office is directed to forward petitioner's letter, received by Chambers on November 10, 2009 and attached to this Order, to whomever is chosen to represent

petitioner. The November 10, 2009 Order is hereby vacated (Document # 7). The Clerk of the Court is directed to remove Document # 7 from the docket but not re-open petitioner's application for the appointment of counsel (Document # 5), which remains closed.

SO ORDERED:



Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
November 16, 2009

**- Appearances -**

**Petitioner (Pro se):**

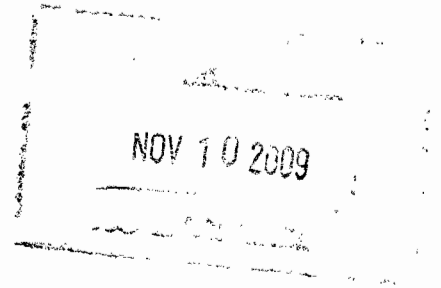
Babatunde Kareem Agoro  
# A24624753  
Varick Federal Detention Center  
201 Varick Street, 4th floor  
New York, NY 10014

**For Respondent:**

Patricia L. Buchanan  
Assistant United States Attorney  
United States Attorney's Office  
Southern District of New York  
86 Chambers Street  
New York, NY 10007  
(212) 637-3274

NOVEMBER 8<sup>TH</sup> 2009

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
500 PEARL STREET  
NEW YORK NEW YORK 10007



RE: REQUEST TO BE RELEASED FROM DETENTION

YOUR HONOR,

MY NAME IS KAREEM BABATUNDE AGORO  
(FILE NO. A024624753) I AM DETAINED AT THE VARICK  
DETENTION CENTER IN NEW YORK, I HAVE BEEN IN  
POST REMOVAL DETENTION FOR APPROXIMATELY  
350 DAYS AND I AM SEEKING, A RELEASE,  
SUPERVISED OR OTHERWISE ALTERNATIVELY BOND  
OR PAROLE, IF RELEASED, I WILL GO TO MY  
HOME ON 3325 NEPTUNE AVENUE BROOKLYN.  
I LIVE WITH MY UNITED STATES CITIZEN WIFE  
AND UNITED STATES CITIZEN CHILDREN WHICH  
INCLUDES MY 15 YEAR OLD DAUGHTER TOYIN AGORO  
I ALSO HAVE A DAUGHTER KAREEMOT WHO IS 30,  
A SON KAREEM WHO IS 27, A SON SHERIFF  
WHO IS 23 AND A DAUGHTER ADEDOYIN WHO  
IS 19. I HAVE THREE GRAND CHILDREN WHO  
ARE ALL U.S. CITIZENS.

I HAVE BEEN IN ICE CUSTODY SINCE NOVEMBER 2008 BASED ON A FINAL ORDER OF DEPORTATION, I WAS TAKEN INTO CUSTODY AT MY OFFICE IN NEW YORK I FEEL THAT I MEET ALL THE REQUIREMENTS TO BE RELEASED, IN THAT I AM NOT A DANGER TO THE COMMUNITY AND THAT I WILL NOT FLEE NOR ESCAPE FROM THE (DHS).

I AM NOT A DANGER TO THE COMMUNITY BECAUSE I WOULD LIKE YOU TO CONSIDER THE TYPE OF CRIME THAT I COMMITTED, THE AMOUNT OF TIME THAT HAS LAPSED SINCE I HAVE COMMITTED THE CRIME AND THAT I HAVE BEEN A MODEL LAW ABIDING PERSON SINCE I HAVE COMMITTED THE CRIME. IN 1989 I WAS CHARGED FOR CREDIT CARD FRAUD OF \$1600<sup>00</sup>/<sub>100</sub> ONE THOUSAND SIX HUNDRED DOLLAR. AND IT WAS BASICALLY IN AGREEMENT WITH THE PROSECUTOR AND ADVISE OF MY ATTORNEY TO PLEAD GUILTY TO THE CHARGE FOR \$250<sup>00</sup>/<sub>100</sub> FINE AND 1 YEAR PROBATION SUBSEQUENTLY TO THAT I FAILED TO APPEAR AT THE SENTENCING HEARING FOR WHICH I REGRET WITHOUT RESERVATION AND RATIONALIZATION. I DID NOT INTEND TO BE DISRESPECTFUL, I DID NOT UNDERSTAND HOW IMPORTANT IT WAS FOR ME TO APPEAR AT THAT TIME, I MADE A TERRIBLE MISTAKE BECAUSE OF THE FACT THAT MY WIFE WAS OF A DISEASE OF "UNKNOWN ORIGIN"



THESE ARE MY CRIDEAL AND I WANT TO SAY THAT I TAKE FULL RESPONSIBILITY FOR MY ACTIONS

I DID NOT INTEND ANY DISRESPECT TO THE UNITED STATES NOR ITS SYSTEM OF LAW AND JUSTICE, I HAVE ONLY ADMIRATION AND LOVE FOR MY HOME, I HAVE TAUGHT MY CHILDREN TO LOVE AND RESPECT THEIR COUNTRY AND TO OBEY AND FOLLOW ITS LAWS AND RULES.

IN THE PAST 15 YEARS SINCE MY ORDER TO SHOW CAUSE WAS SERVED UPON ME BY THE INS, I DILIGENTLY TRIED TO CHALLENGE MY DEPORTATION NOT ON THE BASIS THAT I DID NOT COMMIT THESE CRIME BUT ONLY THAT THESE CRIME ARE NOT CRIME UNDER LAW WHICH COMPEL DEPORTATION FROM UNITED STATES.

I HAVE NOT COMMITTED, NOR HAVE BEEN ARRESTED, SUMMONED OR STOPPED FOR ANY REASON SINCE MY CONVICTION FOR THOSE CRIMES I COMMITTED 20 YEARS AGO. IN 1996 UPON THE RECEIPT OF MY ORDER TO SHOW CAUSE FROM THE INS. I WAS GRANTED BOND TO PURSUE MY DEFENSE FROM DEPORTATION. IN THE SUBSEQUENT PERIOD I HAVE NEVER BROKEN THE TERMS IN LETTER OR IN SPIRIT OF THE BOND. I HAVE DILIGENTLY SHOWED UP FOR ALL COURT APPEARANCES AND CALENDARS AND HAVE NEVER

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CONSIDERED FLEEING YOUR JURISDICTION OR RUNNING FROM MY RESPONSIBILITIES. AS MENTIONED BEFORE, I FAILED TO APPEAR FOR MY SENTENCING AND REALIZE HOW WRONG THAT WAS. EVEN THOUGH I HAD NO INTENT TO FLEE THE SYSTEM. ONCE AGAIN, I HAVE THE UTMOST RESPECT FOR YOU AND THE LAWS AND RULES WHICH YOU ENFORCE.

I HAVE DILIGENTLY PURSUED MY DEFENCE FROM DEPORTATION BECAUSE UNDER THE LAW I HAVE NOT COMMITTED AN AGGRAVATED FELONY AND SHOULD NOT BE DEPORTED UNDER 237 (d)(2)(A)(ii). MY COUNSEL UNDER AN AGREEMENT TO REPRESENT ME IN INS PROCEEDINGS DID NOT RAISE THE ISSUE OF WHETHER A FAILURE TO APPEAR FOR A SENTENCING HEARING IS AN AGGRAVATED FELONY AND THEREFORE ERRORNEOUSLY CONCEDED THIS ISSUE WITH DIRE CONSEQUENCES TO ME. I HAVE INFORMED THE COUNSEL AND FILED A COMPLAINT TO THE APPROPRIATE DISCIPLINARY AUTHORITIES CONCERNING MY COUNSEL'S FAILURE TO LIVE UP TO HIS LEGAL RESPONSIBILITIES.

I AM ASKING YOUR HONORABLE JUDGE TO BE MY GUARDIAN ANGEL OF GOD TO RESOLVE MY ORDEAL OF 20 YEARS OF A CRIME OF FAILURE TO APPEAR FOR SENTENCING THAT IS NOT IN FACT AN AGGRAVATED FELONY

I ALSO ASK your HONORABLE JUDGE FOR  
A SAFETY VALVE AS TO PREVENT THIS  
BIZARRE OF MISCARRIAGE OF JUSTICE CAUSED  
BY THE INEFFECTIVE ASSISTANCE OF COUNSEL.  
FOR THE REASONS STATED ABOVE, I HUMBLY  
ASK YOU TO RELEASE ME FROM DETENTION  
THANK YOU.

Sincerely yours  
Babatunwa Agoro  
KAREEM BABATUNWA AGORO.



FROM  
AGATHA WARD 1400 E 1400  
VARIK 187 EDITION CENTER  
201 VARIK STREET 4TH FLOOR  
NEW YORK NEW YORK 10014

4024624753

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
1000 PEARL STREET  
NEW YORK NY 10007

ATTENTION HONORABLE JUDGE SHIRAZ A. SCHEINDLIN

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